

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION TWO

STATE OF MISSOURI,	)	No. ED96045
	)	
Respondent,	)	
	)	Appeal from the Circuit Court of the
v.	)	City of St. Louis
	)	Cause No. 0922-CR00591-01
JAMES HARRIS,	)	Honorable Edward Sweeney
	)	
Appellant.	)	Filed: December 20, 2011

James Harris appeals the denial of the admission of the content of a mobile phone containing text messages allegedly sent by the victim in the case. The trial court denied admission of this evidence, finding that Appellant had not laid a sufficient foundation.

AFFIRMED.

DIVISION TWO HOLDS: The trial court did not err in denying admission of the content of the text messages as contained in the mobile phone. Appellant presented no proof that the messages were authored by the victim and hence did not lay a sufficient foundation for admission.

Opinion by: Kenneth M. Romines, J.  
Kathianne Knaup Crane, P.J. and Lawrence E. Mooney, J., concur.

Attorneys for Appellant: Scott Thompson

Attorneys for Respondent: Chris Koster, John M. Reeves

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
---